

**MINUTES
HISTORIC PRESERVATION COMMISSION
MARCH 3, 2004**

1. CALL TO ORDER- Murphy called the meeting to order at 4:00 p.m.

2. ROLL CALL

Members Present: Engel, M. Johnson, Madsen, Murphy and Otto

Absent: Graeme and R. Johnson

Staff: Malmquist, Schroder and Wade

3. ADOPTION OF AGENDA

Motion by Otto, second by Engel to adopt the agenda as printed. Motion carried by unanimous voice vote.

4. APPROVAL-MINUTES OF THE FEBRUARY 10, 2004 MEETING

Motion by Otto, second by M. Johnson to approve the minutes as written. Motion carried by unanimous voice vote.

5. NEW BUSINESS

A. Discuss alternative boundaries for the Bluff/Willow/Third Street potential historic district.

Murphy stated that she had an email message from Jan Nash of Tallgrass Historians, L.C. She said that Nash was opposed to any change of the originally proposed boundaries. Murphy said that in order for a response to count as 'opposed' a certified letter objecting to the designation had to be sent to the State Historic Preservation Office.

Schroder stated that she agreed, when a landmark or district is being considered only for National Register designation that a written certified letter stating such must be received by the SHPO. She said she had an email conversation with Beth Foster-Hill several months ago about that topic. Schroder said that because the Council Bluffs Historic Preservation Ordinance requires that requests for National Register designation must be considered for local historic district designation that the requirements for considering a local district apply. The local ordinance states that written consent of the owners representing 51% of the land area to be included in the district must be received. In order to move forward with a nomination 51% consent is necessary. At this time the City is not in receipt of supportive responses equal to 51%.

Murphy stated that since the overall response rate from the petition was not equal to a majority of the property owners that changing the boundaries should not be considered. She believes that 51% of the owners representing the area of the proposed district will be in favor. She suggested that another entity circulate a petition. She stated that the Council Bluffs Historic Preservation Alliance may be interested.

Madsen asked what the local design guidelines were for properties designated locally. Malmquist stated that all decisions made relative to exterior modifications and design review had to be consistent with the Secretary of the Interior's Standards for Renovation and Rehabilitation.

Malmquist stated that staff is not implying that the research done and conclusions made by Tallgrass Historians LC are in anyway incorrect or inaccurate. The suggestion of staff to consider other alternatives is a result of the property owner response received. At this time we do not have the necessary 51% consent required to move forward with a nomination. The reality may be that even if

51% consent can be reached there is no assurance that the City Council would approve the nomination if there are a significant number of owners in opposition.

Wade suggested that if a group was going to circulate a petition, a copy be submitted for his review prior to the collection of signatures to ensure that it met the requirements of the ordinance. He also said that the entire proposed district would need to be petitioned, not just those that did not respond the first time.

Murphy asked if the City would supply a copy of the names and addresses. Schroder said that she could, but that she would have to convert them into a format usable outside of the GIS. The ownership will also need to be verified, because it has not been done since last October.

M. Johnson said it would be difficult to require standards for some properties when other properties such as the Monticello apartments which will not be included in the district are not held to the same standard.

Murphy said that not every property in the area would have to be listed. She said that properties that did not want to be included could be de-listed and not required to comply with design review. Therefore property owners who don't want to be a part of it, did not have to be and the boundaries of the district could remain as originally identified. Schroder said that by local ordinance every property located within the boundary would be considered a part of the district. She added that some properties would be contributing and some would not, that possibly noncontributing structures could be treated differently if approved as part of the development of local design guidelines.

Murphy said that Richard Christie owns two key structures and has responded in opposition to the district designation. She said she believes the reason he has not painted either house is because his taxes will be increased.

Murphy asked staff to calculate the actual percent of owners who have responded in opposition to the designation.

HISTORIC PRESERVATION COMMISSION ACTION

Motion by Otto, second by Engel to table any action which would consider a historic district with boundaries other than those proposed by Tallgrass Historians LC in the Intensive-Level Survey and Evaluation of the Willow/Bluff/3rd Street Area Residential District Council Bluffs, Iowa.

VOTE: AYE- Engel, M. Johnson, Madsen, Murphy and Otto. NAY- None. ABSTAIN- None. ABSENT- Graeme and R. Johnson. Motion carried.

B. Preservation Week

M. Johnson asked if they would need to nominate a property for the 2004 Preservation Award at the meeting next month. Malmquist said that all the activities for Preservation Week need to be decided by the end of the April meeting.

6. OTHER BUSINESS

A. Other Items of Interest- None.

7. ADJOURNMENT- Murphy adjourned the meeting at 5:00 p.m.